The opinion in support of the decision being entered today was
not written for publication and is not binding precedent of the
Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
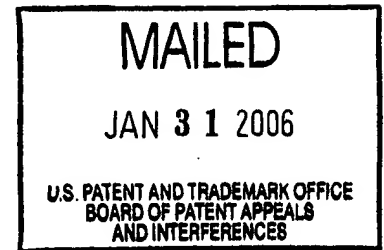AND INTERFERENCES

Ex parte RUSSELL W. BELL

Appeal No. 2006-0326
Application No. 09/579,309

ON BRIEF

Before HAIRSTON, BARRETT, and LEVY, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1
through 33. After submission of the brief, the examiner
indicated that claim 27 is objected to as being dependent upon a
rejected base claim, but would be allowable if rewritten in
independent form including all of the limitations of the base
claim and any intervening claims (answer, page 8). Accordingly,
claims 1 through 26 and 28 through 33 remain before us on appeal.

The disclosed invention relates to a local area network
(LAN) to wide area network (WAN) communication system in which
one computer is configured to assign at least one virtual
connection for each of the computers connected together in the
LAN.

Claim 1 is illustrative of the claimed invention, and it
reads as follows:

1. A local area network (LAN) to wide area network (WAN)
communication system comprising:
a first computer;
a first communication device electrically coupled to the
first computer configured to provide communications over a LAN,
the first communication device in communication with a WAN via a
first communication link;
a second computer; and
a second communication device electrically coupled to the
second computer configured to provide communications over the LAN
between the second and the first computers, wherein the first
computer is configured to assign at least one virtual connection
for each of the first and second computers to enable the first
computer to route WAN data traffic across the LAN.

The references relied on by the examiner are:

Locklear et al. (Locklear)	6,252,878	Jun. 26, 2001	
		(filed Oct. 30, 1997)	
Olarig et al. (Olarig)	6,370,656	Apr. 9, 2002	
		(filed Nov. 19, 1998)	

Claims 1 through 7, 13 through 19, 24 through 26 and 28
through 33 stand rejected under 35 U.S.C. § 102(e) as being
anticipated by Locklear.

Claims 8 through 10 and 20 through 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Locklear in view of Olarig.

Claims 11, 12 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Locklear.

Reference is made to the briefs and the answer for the respective positions of the appellant and the examiner.

<div align="center">DECISION</div>

We have carefully considered the entire record before us, and we will reverse the anticipation rejection of claims 1 through 7, 13 through 19, 24 through 26 and 28 through 33, and reverse the obviousness rejections of claims 8 through 12 and 20 through 23.

Turning first to the anticipation rejection, appellant argues (brief, pages 10 through 13; reply brief, page 2) that all of the claims on appeal require that a first or master computer assign at least one virtual connection for "each computer" that communicates over the LAN. The examiner is of the opinion (answer, pages 9 and 10) that the creation of a session by the access server 16 in Locklear is the same as assigning at least one virtual connection for each of the computers.

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We agree with appellant's arguments. The assignment of a virtual channel for "each session" in which a device on one side of the WAN communicates with a device on the other side of the LAN in Locklear (column 5, line 36 through column 6, line 21) is not the same as assigning a virtual connection for "each computer." Stated differently, the virtual channel established by Locklear is for all of the devices 14.

In summary, the anticipation rejection of claims 1 through 7, 13 through 19, 24 through 26 and 28 through 33 is reversed because Locklear establishes a virtual path during a session handled by the access server 16 that is used by all of the devices 14, and does not assign at least one virtual connection for "each computer" as claimed.

For all of the reasons expressed supra, the obviousness rejection of claims 11, 12 and 23 based upon the teachings of Locklear is reversed.

The obviousness rejection of claims 8 through 10 and 20 through 22 is reversed because Olarig fails to cure the noted shortcoming in the teachings of Locklear.

DECISION

The decision of the examiner rejecting claims 1 through 7, 13 through 19, 24 through 26 and 28 through 33 under 35 U.S.C.

§ 102(e) is reversed. The decision of the examiner rejecting

claims 8 through 12 and 20 through 23 under 35 U.S.C. § 103(a)

is reversed.

<u>REVERSED</u>

KENNETH W. HAIRSTON)
Administrative Patent Judge)
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Administrative Patent Judge   )

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